

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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The Authors Guild, Inc., Association of American :
Publishers, Inc., Associational Plaintiffs, and :
: Case No. 05 CV 8136 (DC)
Herbert Mitgang, Betty Miles, Daniel Hoffman, :
Paul Dickson, Joseph Goulden, The McGraw-Hill :
Companies, Inc., Pearson Education, Inc., Penguin :
Group (USA) Inc., Simon & Schuster, Inc., and :
John Wiley & Sons, Inc., individually and on :
behalf of all others similarly situated, :
Plaintiffs, :
: **NOTICE OF APPEARANCE
AND INTENT TO APPEAR
AT THE OCTOBER 7, 2009
FAIRNESS HEARING**
v. :
: Google Inc., :
Defendant. :
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NOTICE OF APPEARANCE AND INTENT TO APPEAR

Please enter my appearance as counsel of record for Author and Publisher Sub-Class member Microsoft Corporation (“Microsoft”).

Please take notice that Microsoft intends to appear at the Fairness Hearing in the above-captioned action, currently scheduled for October 7, 2009, to object to the Proposed Settlement.

Microsoft will appear through its attorneys Thomas C. Rubin, Charles B. Casper and R. Montgomery Donaldson. Applications to appear *pro hac vice* will be filed for Mr. Casper and Mr. Donaldson. I certify that I am admitted to practice in this Court.

Respectfully submitted,

Date: September 3, 2009

MICROSOFT CORPORATION

By: /s/ Thomas C. Rubin
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Counsel for Microsoft Corporation

CERTIFICATE OF SERVICE

I, Thomas C. Rubin, hereby certify that on this 3rd day of September 2009, I caused to be served by electronic notification through the CM/ECF system a copy of the foregoing Notice of Appearance and Intent to Appear at the October 7, 2009 Fairness Hearing on the following individuals:

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/s/ Thomas C. Rubin